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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,960	02/08/2001	Vesa Lehtovirta	2380-207	5814

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EXAMINER

IQBAL, KHAWAR

ART UNIT	PAPER NUMBER
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2617

DATE MAILED: 07/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/778,960	Applicant(s) LEHTOVIRTA ET AL.	
	Examiner Khawar Iqbal	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5-12-06.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Streter (6456858).

2. Regarding claim 1 Streter teaches in a communication system where connections are established between an external network and mobile radio subscriber units by way of an access network, a method comprising (figs. 1-4):

- detecting a failure in a node (col. 10, lines 23-45, col. 11, lines 47-50);
- determining one or more mobile radio subscriber unit connections affected by the detected failure (col. 10, lines 23-45, col. 11, lines 53-67); and
- sending a message identifying the one or more affected mobile radio subscriber unit connections (col. 10, lines 23-45, col. 11, line 64-col. 12 line 4).

Regarding claim 15 Streter teaches in a communication system where connections are established between an external network and radio subscriber units by way of a radio access network, a method comprising (figs. 1-4):

- detecting a failure in a device in a node, and sending a message identifying the failed device to one or more other nodes, wherein the one or more other nodes release radio subscriber unit connections associated with the identified failed device (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claim 21 Streter teaches in a radio communications system providing communications between an external network and radio units, a radio access network that interfaces the external network and the radio units, comprising (figs. 1-4):

a radio network control node for communicating with the external network; and a radio base station node coupled to the radio network controller configured to provide a radio interface with plural radio units, wherein when a failure is detected in one of the nodes, the one node is configured to send a message to another of the nodes identifying one or more radio unit connections affected by the failure (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claim 34 Streter teaches in an access network providing communication connections between an external network and a mobile radio subscriber unit, a network node communicating with one or more network nodes, comprising (figs. 1-4):

a controller configured to perform the following tasks: detect a failure in the network node (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4); determine one or more mobile radio subscriber unit connections affected by the detected failure (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4); and send a message to one or more other network nodes identifying the one or more affected mobile radio subscriber unit connections (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claim 43 Streter teaches in a communication system where connections are established between an external network and radio subscriber units by way of a radio access network, apparatus comprising (figs. 1-4):

means for determining one or more radio subscriber unit connections affected by a failure detected in a radio access network node, and means for sending a message identifying the one or more affected radio subscriber unit connections (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claims 2,22,35,44 Streter teaches releasing the one or more affected mobile radio subscriber unit connections identified in the message (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claims 3,23,36,45 Streter teaches maintaining one or more mobile radio subscriber connections not determined to be affected by the detected failure (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claims 4,24,36 Streter teaches maintaining a signaling connection associated with a mobile radio subscriber unit affected by the detected failure (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claims 5,16,25,37 Streter teaches wherein the mobile radio subscriber unit uses plural connections during a communications session (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claims 6,19,26 Streter teaches generating a list identifying the one or more mobile radio subscriber units affected by the detected failure and one or more subscriber unit connections affected by the detected failure, and wherein the message includes the list (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claims 7,20,27,38 Streter teaches generating a list identifying the one or more mobile radio subscriber units affected by the detected failure without identifying

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radio subscriber unit connections, and releasing all mobile radio subscriber unit connections associated with the one or more subscriber units in the list (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claims 8,18,28,39 Streter teaches indicating in the list whether a signaling connection associated with a mobile radio subscriber unit affected by the detected failure should be released or maintained (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claims 9,17,29,40 Streter teaches wherein the list includes identifiers for the one or more mobile radio subscriber units affected by the detected failure and for the one or more subscriber unit connections affected by the detected failure (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claims 10,30,41 Streter teaches wherein when the list does not include connection identifiers, all connections for a mobile radio subscriber unit are released.

Regarding claims 11,31,42 Streter teaches wherein the message is sent to one or more other nodes (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claims 12,32 Streter teaches wherein the node is one of an external network node, a core network node, an access network node, and a mobile radio subscriber unit.

Regarding claims 13,33 Streter teaches wherein the message is a control signaling message (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

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Regarding claim 14 Streter teaches wherein the message is sent using an existing access network control signaling message (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

Regarding claims 46-50 Streter teaches wherein each radio subscriber unit connection is associated with one or more radio access bearers (col. 10, lines 23-45, col. 11, line 47-col. 12 line 4).

3. Claims 1,15,21,34,43 are rejected under 35 U.S.C. 102(e) as being anticipated by Halpern (6810247).

4. Regarding claims 1,15,21,34,43 Streter teaches in a communication system where connections are established between an external network and mobile radio subscriber units by way of an access network, a method comprising (figs. 1a,b):

detecting a failure in a node (server) (col. 1, line 30-col. 2, line 24);

determining one or more mobile radio subscriber unit connections affected by the detected failure (col. 1, line 30-col. 2, line 24); and

sending a message identifying the one or more affected mobile radio subscriber unit connections (col. 1, line 30-col. 2, line 24).

Response to Arguments

Applicant's arguments with respect to claims 1-50 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khawar Iqbal whose telephone number is 571-272-7909.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

I,K


JOSEPH FEILD
SUPERVISORY PATENT EXAMINER